

The Fredrickson Home

"We are dedicated to enhancing the long-term quality of life for adults with Developmental Disabilities(DD) by encouraging them to live as individuals in a caring environment."

EXECUTIVE SUMMARY

Enclosed is a letter that offers some detail about a rule, WAC 246-217, that has been implemented by the Department of Health(DOH) that has an enormous negative impact on Adult Family Home(AFH) providers and Adult Family Home residents. Not only is the rule harmful and inappropriate for AFHs, but the manner in which it was implemented appears to be illegal. The rule in question now requires food handler cards in AFHs. Some highlights of the concerns and issues include:

- The Administrative Procedures Act(APA) was not adequately followed as the two most significantly impacted groups of stakeholders, AFH providers and AFH residents, were never informed of these proposed changes, and never had any input prior to the rule implementation.
- As a result, new definitions and regulations were created and/or assumed to be used on AFHs, and the people who live there, which contradict state and federal laws that govern and define AFHs and people with disabilities who live in the community.
- The language used in WAC 246-217, is outdated and offensive, when applied to vulnerable adults, as it re-defines and re-regulates the community-based home of a person with a developmental disability, or elderly individual, as an "institutional operation".
- This rule also defines an AFH as a "food service establishment" while there is no law that would support such a definition.
- The federal definition of a foster home applies to many AFHs, yet, the only form of foster care included in this rule is the AFH as they, and the people who live in them, have been singled out in an apparently discriminatory manner.
- Adults with developmental disabilities and the elderly, who qualify as "foster individuals", have been discriminated against as they are the only such individuals who have had their community-based homes re-defined and re-regulated, without their knowledge or input or support, as "institutional". Their rights were never exercised.
- This "institutional" treatment of adults with developmental disabilities in the community contradicts all other rules, laws, and ideals that we have fought for over the past several years.
- There are numerous negative implications of this rule implementation that have never been examined. Yet, this rule has already been put in place.
- The democratic process and other established procedures failed as the integrity of the AFH setting, and the rights of the people who live in this setting, have not been kept in tact. This must be corrected.

Please take these concerns seriously. The errors made in this ruling are substantial.

Craig Fredrickson